IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1263 OF 2007
IN
CRIMINAL APPEAL NO. 1219 OF 2007.

Sudhir Waman Bhosale ....Applicant.
V/s
The State of Maharashtra.... .... Respondent.

Mr.M.K.Kocharekar, Adv. For the Applicant.

Mr.D.R.More, APP For the respondent.

CORAM: A.P.DESHPANDE, J.
27/11/07

PC:

Applicant-accused is convicted for offence u/s.306 of Indian Penal Code and sentenced to undergo rigorous imprisonment for seven years and to pay fine of Rs.1000/- in default to undergo rigorous imprisonment for six months. The accused is further convicted for offence punishable u/s.498A of Indian Penal Code and sentenced to suffer rigorous imprisonment for two years and fine of Rs.500/- in default rigorous imprisonment for three months. Substantive sentences are to run concurrently. Perused the judgment. The marriage of the applicant accused with the deceased had taken place about 25 years prior to occurrence of the incident and hence presumption u/s.113A of the Evidence Act is not attracted in the present case. The applicant was on bail during the trial and has not misused the liberty granted to him. Hence I

direct that the applicant be released on bail on the same terms and conditions on which he was earlier released during the trial on executing fresh bail bonds. Application stands disposed of accordingly.

27.11.07